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APPLICATION NO. FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. 10/657,612 09/08/2003 James A. Bolton **GRFT CTNG 1.2 US** 9450 12/27/2005 EXAMINER 37138 THADDIUS J. CARVIS PARKER, FREDERICK JOHN **102 NORTH KING STREET** ART UNIT PAPER NUMBER LEESBURG, VA 20176 1762

DATE MAILED: 12/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.	Applicant(s)	₩.	
10/657,612	BOLTON ET AL.		
Examiner	Art Unit		
Frederick J. Parker	1762		

Frederick J. Parker -The MAILING DATE of this communication appears on the cover sheet with the correspondence address - THE REPLY FILED 12 February 2005 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALL LOWANCE. I. The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following reples: (1) an amendment, affidark, or otherwise, which papers of the prior of t	Defere the Eiling of an Annual Priof						
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b) ■ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection. Nichrever is later. In no revent, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. Examiner, Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRNAL REJECTION. See MEPE 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee naive been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee nuder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above; if checked. Any reply received by the Office later than three months after the malling date of the final rejection, even if timely filed, may reduce any semed patent term adjustment. See 37 CFR 1.704(b). NOTICE OF APPEAL In Notice of Appeal was filed on A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a). MENDIANTS 3. ★ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ★ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ★ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because (a) ★ The proposed amendment (a) filed after a final rejection for appeal by materially reducing or simplifying the issues for appeal; and/or (b) ★ The proposed amendment(s) filed after a final spice the proposed pr	The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:						
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Application No. 10/657,612

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: applicants proposed amendments further narrow the descriptive outcome and therefore change/ narrow the scope of claims, requiring further consideration. There is no reason why such amendments were not previously presented. Applicants proposed amendments and arguments were considered but were not convincing. In particular the statement that Plowman leaves accent color ONLY on embossed low areas and NOT on the surface is in error; this crucial point was addressed in the Final Office Action by the appendix showing that the pigmented coating fills in recesses AND coats raised surfaces analogous to Applicants' outcome. Again as shown in fig. 7 of the reference and accompanying text, while there will be a gradation of material deposited in vallies versus ridges, so too will this be the case in Applicants' method, as is clear from the "spreading" step of claim 1. Issues regarding specific colorations, graining, and other aesthetic effects are obvious variations which would not patentably distinguish over the prior art. Matters related to the choice of ornamentation producing no mechanical effect or advantage considered to constitute the invention are considered obvious and do not impart patentability, In re Seid 73 USPQ 431. The Examiner maintains the prior art rejections .